

SENATE BILL NO. 223

BY SENATORS CLAITOR, APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH AND THIBAUT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e), and to enact R.S. 17:252(C), relative to the discipline of pupils; to provide relative to circumstances under which pupils may be removed from the classroom; to require principals to provide parental notification when a pupil is removed from the classroom; to allow principals to provide feedback and guidance to teachers; to authorize school boards to adopt policies relative to parental attendance at certain intervention sessions and consequences for parents who fail to comply; to require that certain students be assigned and required to complete missed school work under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e) are hereby amended and reenacted and R.S. 17:252(C) is hereby enacted to read as follows:

§252. School master plans for supporting student behavior and discipline

* * *

C. The model master plan for improving behavior and discipline within the schools and the school master plans required of city, parish, and other local public school boards by this Section shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons in accordance with the provisions of R.S. 17:416.

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§416. Discipline of pupils; suspension; expulsion

1 A. (1)

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3 (c)(i) When a pupil's behavior prevents the orderly instruction of other pupils;
 4 or poses an immediate threat to the safety or physical well being of any pupil or
 5 teacher, ~~or~~ when a pupil exhibits disrespectful behavior toward the teacher such as
 6 using foul or abusive language or gestures directed at ~~a teacher~~ or threatening a
 7 pupil or a teacher, when a pupil violates the school's code of conduct, or when
 8 a pupil exhibits other disruptive, dangerous, or unruly behavior, including
 9 inappropriate physical contact, inappropriate verbal conduct, sexual or other
 10 harassment, throwing objects, inciting other pupils to misbehave, or destroying
 11 property, the teacher may have the pupil immediately removed from his classroom
 12 and placed in the custody of the principal or his designee. A pupil removed from the
 13 classroom pursuant to this Subparagraph shall ~~not receive credit for~~ be assigned
 14 school work missed and shall receive either partial or full credit for such work
 15 if it is completed satisfactorily and timely as determined by the principal or his
 16 designee, upon the recommendation of the pupil's teacher; however, the teacher
 17 shall not be required to interrupt class instruction time to prepare any such
 18 assignment.

19 (ii)(aa) Upon being sent to the principal's office pursuant to the provisions
 20 of this Subparagraph, the principal or his designee shall advise the pupil of the
 21 particular misconduct of which he is accused as well as the basis for such accusation,
 22 and the pupil shall be given an opportunity at that time to explain his version of the
 23 facts. The principal or his designee then shall conduct a counseling session with the
 24 pupil as may be appropriate to establish a course of action, consistent with school
 25 board policy to identify and correct the behavior for which the pupil is being
 26 disciplined.

27 (bb) The principal or his designee shall provide oral or written
 28 notification to the parent or legal guardian of any pupil removed from the
 29 classroom pursuant to the provisions of this Subparagraph. Such notification
 30 shall include a description of any disciplinary action taken.

